

Re: Civil Action No. 1:08-CV-122
Rosa Montes Ramos, et. al. v. Omar Lucio, et. al.
U.S.D.C. – Southern District of Texas, Brownsville Division

ATTACHMENT “A”

CURRICULUM VITAE GARY MICHAEL VILKE, M.D., FACEP, FAAEM

CURRICULUM VITAE

GARY MICHAEL VILKE, M.D., FACEP, FAAEM

HOME ADDRESS:

11279 Breckenridge Way
San Diego, CA 92131
Phone: (858) 653-5292
Fax: (858) 653-5292
Pager: (619) 290-9149

OFFICE ADDRESS:

Department of Emergency Medicine
UCSD Medical Center
200 W. Arbor Drive
San Diego, CA 92103-8676
Phone: (619) 543-6210
Fax: (619) 543-3115
E-mail: gmvilke@ucsd.edu

PERSONAL: Born [REDACTED], 1966 in Cleveland, Ohio
Marital Status: Married, two children

EDUCATION:

Academic: 1983-88	B.S. in Zoology, University of California, Berkeley Berkeley, California
Medical School: 1988-92	M.D., University of California, San Diego School of Medicine La Jolla, California
Internship: 1992-93	Department of Surgery University of California, San Diego Medical Center San Diego, California
Residency: 1993-96	Department of Emergency Medicine University of California, San Diego Medical Center San Diego, California (Chief Resident: 1995-96)

LICENSURE: California Medical License Number G-78057

BOARD CERTIFICATIONS:

National Board of Medical Examiners, 1993
American Board of Emergency Medicine, 1997

APPOINTMENTS:

7/05 - Present	Professor of Clinical Medicine, University of California, San Diego (UCSD) School of Medicine
7/07 - Present	Vice Chief of Staff, UCSD Medical Center
2/06 - Present	Director of Clinical Research, UCSD Medical Center, Department of Emergency Medicine
7/04 – Present	EMS/Disaster Medicine Fellowship Co-Director, Department of Emergency Medicine.
4/99 - Present	Director, Custody Services, UCSD Medical Center
7/96 - Present	Assistant Director, Department of Emergency Medicine, UCSD Medical Center
7/94 - Present	Base Hospital Physician, University of California Medical Center

PREVIOUS EXPERIENCE:

3/02 - 2/06	Medical Director, San Diego County Emergency Medical Services
3/03 - 12/05	Medical Consultant, San Diego Chapter Red Cross Disaster Health Services
7/01 - 6/05	Associate Professor of Clinical Medicine, UCSD School of Medicine
6/04 - 2/05	Interim Chief, San Diego County Emergency Medical Services
1/01 - 2/04	Medical Director, Southwestern College Paramedic Training Program
7/00 - 2/04	Medical Director, Palomar College Paramedic Training Program
7/97 - 1/03	Director, Prehospital Services, UCSD Medical Center
6/97 - 1/03	Medical Director, Paramedic Base Hospital, UCSD Medical Center
7/96 - 1/03	Medical Director, Mercy Air Medical Transport Service, San Diego, California
7/96 - 6/01	Assistant Clinical Professor of Medicine, UCSD School of Medicine
4/99 - 3/01	Medical Co-Director, San Diego Central Jail Medical Services
1/96 - 7/96	Flight Physician, Mercy Air Medical Transport Service, San Diego, California
7/95 - 7/96	Associated Emergency Physicians Medical Group, San Diego, California
12/94 - 7/96	Kaiser Permanente Emergency Department, San Diego, California
10/94 - 7/96	Med America Health Resource Company, San Diego, California
4/94 - 7/95	Sharp-Rees-Stealy Urgent Care, San Diego, California

7/93 - 12/95 Flight Physician, Life Flight Air Medical Transport Service

HONORS AND AWARDS:

- 1990 Random House Medical Student Award
- 1996 American College of Emergency Physicians, California Chapter Challenge Bowl Winner
- 1996 Council of Residency Directors (CORD) Resident Academic Achievement Award
- 1996 Outstanding Emergency Medicine Resident
- 1996 UCSD Emergency Department Staff Support Award
- 1996 *Journal of Emergency Medicine* Outstanding Contribution Award
- 1999 "Golden Apple" Teaching Award, UCSD Emergency Medicine Residency Graduating Class of 1999
- 2000 Faculty of the Year, UCSD Emergency Medicine Residency Graduating Class of 2000
- 2000 Best Research Poster Presentation, California Chapter of the American College of Emergency Physicians (CAL/ACEP) Scientific Assembly, Dana Point, California
- 2000 Outstanding Scientific Abstract, State of California EMS Authority Annual Emergency Medical Services for Children Conference, San Diego, California, November 2000
- 2001 Best Oral Presentation, CAL/ACEP Scientific Assembly, Santa Clara, California
- 2004 Academy of Clinician Scholars, University of California San Diego
- 2004 Top Doctor in San Diego County, San Diego Magazine
- 2004 Top Peer Reviewer, *Annals of Emergency Medicine*
- 2005 Top Doctor in San Diego County, San Diego Magazine
- 2005 Clinical Investigation Institute, University of California San Diego
- 2006 Top Doctor in San Diego County, San Diego Magazine
- 2007 Finalist San Diego Business Journal Health Care Champion Award
- 2007 Top Doctor in San Diego County, San Diego Magazine
- 2007 Top Peer Reviewer, *Annals of Emergency Medicine*
- 2008 Top Doctor in San Diego County, San Diego Magazine

CERTIFICATIONS:

Basic Cardiac Life Support Instructor
Pediatric Life Support Provider
Advanced Cardiac Life Support Instructor
Advanced Trauma Life Support Provider
Hazardous Material Training, Level I
Advanced HAZMAT Life Support Provider

PROFESSIONAL SOCIETY MEMBERSHIPS:

American Medical Association, 1988-97
California Alumni Association, 1988
American College of Emergency Physicians, 1991-2000
Fellow, American College of Emergency Physicians, 2000
California Chapter of the American College of Emergency Physicians, 1991
Society for Academic Emergency Medicine, 1995
National Association of EMS Physicians, 1998
Fellow, American Academy of Emergency Medicine, 2000
California Chapter of the American Academy of Emergency Medicine, 2000
American Association of University Professors, 2002
California Conference of the American Association of University Professors, 2002
San Diego Faculty Association, 2002
San Diego County Medical Society, 2003
California Medical Association, 2003

CURRENT ACTIVITIES:

Member, Disaster Medical Assistance Team (CA-4), 1994

Objective Structured Clinical Examiner, Introduction to Clinical Medicine, UCSD School of Medicine, 1997

UCSD Alumni Preceptor, UCSD School of Medicine, 1997

Medical Director, San Diego County Metropolitan Medical Strike Team, 1998

Quality Assurance Reviewer, Department of Emergency Medicine, UCSD Medical Center, 1999

Evaluator, UCSD Physician Assessment and Clinical Evaluation (PACE) Program, 2000

Tactical EMS Care Provider for San Diego Sheriff's Special Enforcement Detail (SED), 2007

Journals

Senior Reviewer, *Annals of Emergency Medicine*, Mosby, 2007 (Reviewer since 1998)

Associate Editor/Editorial Board, *Journal of Emergency Medicine*, Elsevier Science, Inc., 2007, (Editorial board since 2000; reviewer since 1994)

Reviewer, *California Journal of Emergency Medicine*, 2001

Reviewer, *American Journal of Emergency Medicine*, Elsevier Science, Inc., 2005

Reviewer, Practical Summaries in Acute Care, Thomson American Health Consultants, 2006

Reviewer, *Emergency Medicine Journal*, BMA House, 2006

Editorial Board, *Prehospital Emergency Care*, Taylor & Francis Group, 2006 (Reviewer since 2004)

Reviewer, *Forensic Science International*, 2007

Reviewer, *Western Journal of Emergency Medicine*, 2007

Expert Editorial Advisor, *Managing the Ankylosing Spondylitis Patient in an Emergency Setting for the Spondylitis Association of America (SAA)*. 2008

PREVIOUS ACTIVITIES:

Vice-President, California Chapter of Emergency Medicine Residents Association, 1994-95
Editor-in-Chief, California Chapter of Emergency Medicine Residents Association Newsletter, 1994-95
Co-Director, School of Medicine 225: Introduction to Emergency Medicine, UCSD School of Medicine, 1994-95
Reviewer, *Journal of Emergency Medicine*, Pergamon Press, 1994-2000 (now on editorial board)
Strike Team Leader, DMAT Olympics 1996 Biological & Chemical Antiterrorist Medical Support
Associate Editor, *Journal of Emergency Medicine*, Pergamon Press, 1996-97
Reviewer, *European Journal of Epidemiology*, Kluwer Academic Publishers, 1996-97
Director, Mercy Air Medical Transport Services Continuing Clinical Education, 1996-2003
Member, San Diego County 911 Dispatch Quality Review Board, 1997-98
Co-Director, University of California, San Diego School of Medicine, Course SOM 224I, Pediatric Advanced Life Support Course, 1997-2002
Editor-in-Chief, UCSD Medical Center EMS Run Review, 1997-2003
Sponsor, Palomar College Emergency Medical Education Department Paramedic Training, 1997-2003
Medical Support Physician, Super Bowl XXXII, San Diego, California, January 25, 1998
Medical Support Physician, Suzuki Rock-n-Roll Marathon, San Diego, California, June 21, 1998
Marketing Director, California Chapter of the American College of Emergency Physicians (CAL/ACEP) Scientific Assembly, 1998-99
Member, Program Committee, CAL/ACEP Scientific Assembly, 1998-99
Howard Hughes Foundation Undergraduate Preceptor, 1998, 1999
Co-editor, Pearls from PAC Newsletter, 1998-2000
Preceptor, Introduction to Clinical Medicine 201-B, UCSD School of Medicine, 1999
EMS Team Leader, San Diego County Metropolitan Medical Strike Team, 1999
Co-Chair, Program Committee, CAL/ACEP Scientific Assembly, 1999-2000 and 2000-01
Member, San Diego County Bio-Terrorism Planning Group, 1999-2003
Moderator, EMS Poster Section, Western Regional Society for Academic Emergency Medicine Conference, Portland, Oregon, April 2000
Preceptor, California State University Dominguez Hills Statewide Nursing Program, 2000
Affiliate Faculty, Southwestern College Paramedic Training Program, 2000-03

PREVIOUS ACTIVITIES, continued:

Medical Director, EPIC “Eliminate Preventable Injuries of Children” Medics, San Diego County, 2000-03

San Diego Port District AED (Automated External Defibrillator) Program RPF Panel, 2001

Peer Reviewer, *Pediatric Emergency Medicine Reports*, 2001

Reviewer, Scientific Abstract Presentations, CAL/ACEP Scientific Assembly, 2001-02

Member, Board of Directors, CAL/ACEP, 2001-02

Moderator, Western Regional SAEM Research Presentations, San Diego, California, April 2002

Clinical Coordinator, Southwestern College Emergency Medical Technician Program, 2001-03

Santa Clara County/Regional Medical Center Trauma Designation Review Committee, 2004

San Diego County Health Services Capacity Issues Task Force, 2002-06

San Diego Regional Safety Consortium Inter-facility Transfer Protocol Task Force, 2004-06

San Diego Regional Fire Prevention Emergency Preparedness Task Force, 2004-2006

San Diego County Task Force on Fire Prevention, 2004-06

President-Elect, EMS Medical Director’s Association of California, 2005-06

CURRENT UCSD COMMITTEE MEMBERSHIPS:

Research Committee, Department of Emergency Medicine, 1997
Trauma Multidisciplinary Committee, 2000
UCSD Faculty Association, 2002
Quality Improvement Committee, Department of Emergency Medicine, 2002
UCSD/San Diego Sheriff Security Working Group, 2003
Quality Council Committee, 2003
Chair, Patient Care and Peer Review Committee, 2007 (member since 2005)
Secretary-Treasurer, UCSD Academy of Clinician Scholars, 2005
UCSD Academy of Clinician Scholars Executive Committee, 2005
Department of Medicine Committee on Advancement and Promotions (DOMCAP), 2007
Vice Chair, Medical Staff Executive Committee, 2007

PREVIOUS UCSD COMMITTEE MEMBERSHIPS:

Chair, Emergency Department Staffing Committee of Process Action Team, 1994-95
Hospital Infection Control Committee, 1994-95
Emergency Medicine Housestaff Association Representative, 1994-96
Emergency Department Clinical Practices Committee, 1994-96
Emergency Department Peer Review/Quality Assurance Committee, 1995-96
Emergency Department Critical Care Room Process Action Team, 1996
Paramedic/Emergency Department Interface Task Force, 1998-99
Emergency Department Staffing Committee, Department of Emergency Medicine, 1999
Credentials Committee, 1997-2000
Faculty Search Committee, Department of Emergency Medicine, 1999, 2000, 2002
Medical Director's Group, 1997-2002
Patient Care Review Committee, 2003
Medical Risk Management Committee, 2002-03
Patient Improvement and Outcome Committee, 2003-05
Medical Staff Executive Committee Reorganization Ad Hoc Committee, 2005
UCSD Phasing Strategy Ad Hoc Committee, 2005
Clinical Representative, Trauma Quality Assurance Program, 1998-2006

PREVIOUS UCSD COMMITTEE MEMBERSHIPS, continued:

Chair, Medical Risk Management Committee, 2003-2007 (member since 2002)
Medical Risk Management Executive Committee, 2003-2007
UCSD Medical Center Allocation Committee 2005-07
Patient Safety Committee, 2003-2007

CURRENT COMMITTEE MEMBERSHIPS:

Operations Committee, San Diego County Metropolitan Medical Strike Team, 1998
San Diego Central Jail Quality Assurance Committee, 1999
San Diego Central Jail Medical Oversight Committee, 1999
Training Committee, San Diego County Metropolitan Medical Strike Team, 2001

PREVIOUS COMMITTEE MEMBERSHIPS:

Practice Management Committee, CAL/ACEP, 1994-95
Research Subcommittee, San Diego County Prehospital Audit Committee, 1997-99
Prehospital RSI Task Force, San Diego County Prehospital Audit Committee, 1997-99
San Diego County Base Hospital Physicians Committee, 1997-2006
San Diego County Trauma Audit Committee, 1997-2006
San Diego County Prehospital Audit Committee, 1997-2006
Committee on Prehospital Stroke Triage, San Diego County Medical Society, 1998
Chair, San Diego County Prehospital Audit Committee, 1998-2000
Steering Committee, San Diego County Metropolitan Medical Strike Team, 1998-2001
Chair, CPR Subcommittee, San Diego County Prehospital Audit Committee, 1998-2002
City of San Diego EMS Physicians' Advisory Committee, 1998-2003
City of San Diego Prehospital Cardiac Advisory Committee, 1998-2003
Chair, San Diego County Aeromedical Protocol Committee, 1998-2006
San Diego County Committee on Pediatric Emergency Medicine, 1998-2006
Program Committee, CAL/ACEP Scientific Assembly, 1998-2001 (Co-Chair for 1999-2001)
Awards Committee, CAL/ACEP Scientific Assembly, 1999-2001
EMS Committee, San Diego County Metropolitan Medical Strike Team, 1999-2001
San Diego Metropolitan Medical Response System Bio-Terrorism Planning Group, 1999-2001
San Diego County Pediatric CPR Task Force, 1999-2000
San Diego Sheriff's Source Selection Committee, 2000
San Diego County EMS QA Net Prehospital Design Steering Committee, 2000-01
San Diego County SIPs (Serial Inebriate Program) Task Force, 2000-02
Chair, Research Subcommittee, San Diego County Prehospital Audit Committee, 2000-02
Education Committee, CAL/ACEP, 2000-03
San Diego County Paramedic Training Joint Advisory Committee, 2000-06
San Diego County Public Health Preparedness Team, 2001-06
EMS Section, American College of Emergency Physicians, 2001-06
Chair, Training Committee, San Diego County Metropolitan Medical Strike Team, 2001-02
Co-Chair, EMS Committee, CAL/ACEP, 2001-02
Policy Committee, CAL/ACEP, 2001-02
Task Force Leader, CAL/ACEP Scientific Assembly, 2001-02

PREVIOUS COMMITTEE MEMBERSHIPS, continued:

Governmental Affairs Committee, CAL/ACEP, 2001-02
Didactic Subcommittee, SAEM Program Committee, 2001-02
Program Mgmt Committee, San Diego County Metropolitan Medical Strike Team, 2001-03
Air Medical Transport Section, American College of Emergency Physicians, 2001-03
San Diego County Sheriff's Mortality Review Committee, 2001-03
San Diego County Sheriff's Pharmacy and Therapeutics Committee, 2001-03
SAEM EMS Interest Group, 2001-2006 (Co-chair 2003-04)
San Diego County EMS for Children (EMSC) Advisory Committee, 2002-05
Scientific Subcommittee, SAEM Program Committee, 2002-05
EMS Medical Director's Association of California, 2002-06
San Diego County Trauma Administrators Committee, 2002-06
Chair, San Diego County EMS Research Committee, 2002-06
Chair, San Diego County Paramedic Protocol Revision Committee, 2002-06
San Diego County Public Health Services Physicians Group, 2003-06
San Diego County Healthcare Advisory Committee on Terrorism, 2003-06
Member-at-large, EMDAC Officer Board, 2004-05
San Diego County Fire Chief's Association, 2004-06
San Diego County Sheriff's Helicopter Program Ad Hoc Advisory Committee, 2004-06
Chair, San Diego County HRSA Work Group, 2004-06
San Diego County Regional Helicopter Advisory Committee, 2004-06
San Diego County HRSA Executive Steering Committee, 2004-06
San Diego County Critical Care Transport Working Group, 2005-06
San Diego County Prehospital Patient Record IT Steering Committee, 2005-06
San Diego County Cardiac Advisory Committee, 2005-06
San Diego County Stroke Advisory Committee, 2005-06
San Diego County Emergency Medical Care Committee, 2006
Co-Chair, San Diego County Medical Society EMS Medical Oversight Committee, 2002-2006
Chair, EMS Committee, American Academy of Emergency Medicine California Chapter, 2000-2006
SAEM Program Committee, 2001-2007
Chair, Photography Subcommittee, SAEM Program Committee, 2002-2007

FUNDED RESEARCH:

1. Co-Investigator with Tom Neuman (PI) for evaluation of positional asphyxia in the hobble restraint position, funded by the County of San Diego, 1995--\$33,900
2. Co-Investigator, with Theodore Chan (PI), for evaluation of the Melker percutaneous cricothyrotomy kit in human cadavers, funded by Cook Medical Products, 1997--\$10,000
3. Co-Investigator with John Eisele (PI) for the evaluation of positional asphyxia in the hobble restraint position with weight on subjects' backs, funded by the American Academy of Forensic Sciences, 1998--\$2,500
4. Co-Investigator, with Theodore Chan (PI), for study entitled, "The Impact of Oleoresin Capsicum Spray on Respiratory Function in Human Subjects in the Sitting and Prone Maximal Restraint Positions." Study funded by the National Institute of Justice, U.S. Department of Justice, 1998-99. UCSD No. 98-7107; USDOJ Federal Award #98-IJ-CX-0079. Amount: \$128,176
5. Principle Investigator (PI) for study entitled "Evaluation of Hurricaine anesthetic in patients with dyspepsia" funded by Beutlich Pharmaceuticals for, 2001. Amount: \$1,500
6. Co-Investigator, with Theodore Chan (PI), for evaluation of the Melker percutaneous cricothyrotomy kit in human cadavers, funded by Cook Medical Products, 2003. Amount: \$12,000
7. Co-Investigator, with David Hoyt (PI) for the Resuscitation Outcomes Consortium: UCSD / San Diego Resuscitation Research Center, funded by the NIH, 9/1/2004 to 6/30/2009. UO1 HL077908. Amount: \$2,250,522
8. Co-Principal Investigator (Co-PI), with Theodore Chan, for study entitled, "The effect of Taser on Cardiac, Respiratory and Metabolic Physiology in Human Subjects." Study funded by the National Institute of Justice, U.S. Department of Justice, 10/1/2005 to 9/30/2007. UCSD No. 2006-0846; USDOJ Federal Award #98-IJ-CX-0079. Amount: \$213,941.49
9. Co-Investigator, with Daniel Davis (PI) for the study entitled, "ROC Interventional Trials: Hypertonic Resuscitation for Traumatic Injury, Trauma Epistry, PRIMED", funded by the NIH, 7/1/2006 to 6/30/2008. UO1 HL077863. Amount: \$331,320
10. Co-Investigator, with Daniel Davis (PI) for the, "ROC Cardiac Epistry", funded by the AHA, 7/1/2006 to 6/30/2008. Amount: \$133,427
11. Co-Investigator, with Theodore Chan (PI) for study entitled, "Multi-Center Study of the Impact of Nurse-Patient Ratios on Emergency Department Overcrowding." funded by the Emergency Medicine Foundation, 7/1/2007 to 6/30/2008. Amount: \$50,000
12. Principal Investigator (PI) for study entitled, "Evaluation of the Ventilatory and Respiratory Effects of a Restraint Chair on Human Subjects." Funded by the Institute for the Prevention of In-Custody Deaths, Inc, 1/1/07 to 12/31/07. Amount: \$11,658

FUNDED RESEARCH, continued:

13. Co-Investigator, with Edward Castillo (PI) for study entitled, "California ED Diversion Project Evaluation." funded by the California Healthcare Foundation, 5/15/2008 to 10/15/2008.
Amount: \$50,990

PUBLICATIONS:

Books / Book Chapters

1. Vilke GM: Head Trauma, Blunt. In: The 5 Minute Emergency Medicine Consult. Rosen P, Barkin RM, Hayden SR, Schaider JJ, Wolfe R (Eds.); Philadelphia: Lippincott Williams & Wilkins, 1999, pp 472-473.
2. Vilke GM: Head Trauma, Penetrating. In: The 5 Minute Emergency Medicine Consult. Rosen P, Barkin RM, Hayden SR, Schaider JJ, Wolfe R (Eds.); Philadelphia: Lippincott Williams & Wilkins, 1999, 474-475.
3. Atlas of Emergency Procedures. Rosen P, Chan TC, Vilke GM, Sternbach G (Eds.); St. Louis: Mosby, Inc., 2001.
3. Vilke GM: Urethral Catheterization. In: Atlas of Emergency Procedures. Rosen P, Chan TC, Vilke GM, Sternbach G (Eds.); St. Louis: Mosby, Inc., 2001, pp 124-127.
4. Vilke GM: Cystostomy. In: Atlas of Emergency Procedures. Rosen P, Chan TC, Vilke GM, Sternbach G (Eds.); St. Louis: Mosby, Inc., 2001, pp 128-129.
6. Vilke GM: Bladder Aspiration. In: Atlas of Emergency Procedures. Rosen P, Chan TC, Vilke GM, Sternbach G (Eds.); St. Louis: Mosby, Inc., 2001, pp 130-131.
7. Vilke GM: Dorsal Slit in Phimosis. In: Atlas of Emergency Procedures. Rosen P, Chan TC, Vilke GM, Sternbach G (Eds.); St. Louis: Mosby, Inc., 2001, pp 132-133.
8. Vilke GM: Manual Paraphimosis Reduction. In: Atlas of Emergency Procedures. Rosen P, Chan TC, Vilke GM, Sternbach G (Eds.); St. Louis: Mosby, Inc., 2001, pp 134-135.
14. Vilke GM: Zipper Removal. In: Atlas of Emergency Procedures. Rosen P, Chan TC, Vilke GM, Sternbach G (Eds.); St. Louis: Mosby, Inc., 2001, pp 136-137.
10. Hayden SR, Silfvast T, Deakin CD, Vilke GM: Surgical Procedures. In: Prehospital Trauma Care. Soreide E, Grande CM (Eds.); New York: Marcel Dekker, Inc., 2001, pp 323-354.
11. Hayden SR, Thierbach A, Vilke GM, Sugrue M: Patient Turnover: Arriving and Interacting in the Emergency Department. In: Prehospital Trauma Care. Soreide E, Grande CM (Eds.); New York: Marcel Dekker, Inc., 2001, pp 737-751.
12. Vilke GM: Cervical Spine Injury, Adult. In: Rosen and Barkin's 5-Minute Emergency Medicine Consult (second edition). Schaider J, Hayden SR, Wolfe R, Barkin RM, Rosen P (Eds.); Philadelphia: Lippincott Williams & Wilkins, 2003, pp 1048-1049.

PUBLICATIONS, continued:Books / Book Chapters

13. Vilke GM: Extremity Trauma, Penetrating. In: Rosen and Barkin's 5-Minute Emergency Medicine Consult (second edition). Schaider J, Hayden SR, Wolfe R, Barkin RM, Rosen P (Eds.); Philadelphia: Lippincott Williams & Wilkins, 2003, pp 394-395.
14. Vilke GM: Head Trauma, Blunt. In: Rosen and Barkin's 5-Minute Emergency Medicine Consult (second edition). Schaider J, Hayden SR, Wolfe R, Barkin RM, Rosen P (Eds.); Philadelphia: Lippincott Williams & Wilkins, 2003, pp 476-477.
15. Vilke GM: Head Trauma, Penetrating. In: Rosen and Barkin's 5-Minute Emergency Medicine Consult (second edition). Schaider J, Hayden SR, Wolfe R, Barkin RM, Rosen P (Eds.); Philadelphia: Lippincott Williams & Wilkins, 2003, pp 478-479.
16. Vilke GM: Ring/Constricting Band Removal. In: Rosen and Barkin's 5-Minute Emergency Medicine Consult (second edition). Schaider J, Hayden SR, Wolfe R, Barkin RM, Rosen P (Eds.); Philadelphia: Lippincott Williams & Wilkins, 2003, pp 980-981.
17. Vilke GM: Warts. In: Rosen and Barkin's 5-Minute Emergency Medicine Consult (second edition). Schaider J, Hayden SR, Wolfe R, Barkin RM, Rosen P (Eds.); Philadelphia: Lippincott Williams & Wilkins, 2003, pp 1222-1223.
18. Vilke GM: Fournier's Gangrene. In: Rosen and Barkin's 5-Minute Emergency Medicine Consult (second edition). Schaider J, Hayden SR, Wolfe R, Barkin RM, Rosen P (Eds.); Philadelphia: Lippincott Williams & Wilkins, 2003, pp 430-431.
19. Vilke GM: Variants of Normal. In: ECG in Emergency Medicine and Acute Care. Chan TC, Brady WJ, Harrigan RA, Ornato JP, Rosen P (Eds.); Philadelphia: Elsevier Mosby, 2005, pp 12-15.
20. Vilke GM: Keloid Formation. In: Greenberg's Text-Atlas of Emergency Medicine. Greenberg MI, Hendrickson RG, Silverberg M (Eds.); Philadelphia: Lippincott Williams and Wilkins, 2005, p 684.
21. Vilke GM: Distal Digital Amputation. In: Greenberg's Text-Atlas of Emergency Medicine. Greenberg MI, Hendrickson RG, Silverberg M (Eds.); Philadelphia: Lippincott Williams and Wilkins, 2005, p 685.
22. Vilke GM: Painful Syndromes of the Hand and Wrist. In: Harwood-Nuss' Clinical Practice of Emergency Medicine fourth edition. Editor-in-chief: AB Wolfson. Philadelphia: Lippincott Williams and Wilkins, 2005, pp 536-540.
23. Vilke GM: Neck Holds. In: Sudden Deaths in Custody. Ross DL, Chan TC (Eds.); New Jersey: Humana Press, 2006, pp 15-38.

PUBLICATIONS, continued:

Books / Book Chapters

24. Sloane C, Vilke GM: Riot Control Agents, Tasers and Other Less Lethal Weapons. In: Sudden Deaths in Custody. Ross DL, Chan TC (Eds.); New Jersey: Humana Press, 2006, pp 113-138.
25. Vilke GM: *Clostridium botulinum* Toxin (Botulism) Attack. In: Disaster Medicine. Ciotto GR (Ed.); Boston: Elsevier Mosby, 2006, pp 701-704.
26. Vilke GM: Viral Agents (Section 10, Part 2). Section Editor. In: Disaster Medicine. Ciotto GR (Ed.); Boston: Elsevier Mosby, 2006, pp 661-697.
27. Patel R, Reynoso J, Vilke GM: Genitourinary Trauma. In: Emergency Medicine Handbook. Clinical Concepts for Clinical Practice. Roppolo LP, Davis D, Kelly SP, Rosen P (Eds.); Philadelphia: Elsevier Mosby, 2007, pp 164-173.
28. Vilke GM: Extremity Trauma, Penetrating. In: Rosen & Barkin's 5-Minute Emergency Medicine Consult (third edition). Schaidler JJ, Hayden SR, Wolfe RE, Barkin RM, Rosen P (Eds.); Philadelphia: Lippincott Williams & Wilkins, 2007, pp 392-393.
29. Vilke GM: Fournier's Gangrene. In: Rosen & Barkin's 5-Minute Emergency Medicine Consult (third edition). Schaidler JJ, Hayden SR, Wolfe RE, Barkin RM, Rosen P (Eds.); Philadelphia: Lippincott Williams & Wilkins, 2007, pp 428-429.
30. Vilke GM: Head Trauma, Blunt. In: Rosen & Barkin's 5-Minute Emergency Medicine Consult (third edition). Schaidler JJ, Hayden SR, Wolfe RE, Barkin RM, Rosen P (Eds.); Philadelphia: Lippincott Williams & Wilkins, 2007, pp 474-475.
31. Vilke GM: Head Trauma, Penetrating. In: Rosen & Barkin's 5-Minute Emergency Medicine Consult (third edition). Schaidler JJ, Hayden SR, Wolfe RE, Barkin RM, Rosen P (Eds.); Philadelphia: Lippincott Williams & Wilkins, 2007, pp 476-477.
32. Vilke GM: Spine Injury: Cervical, Adult. In: Rosen & Barkin's 5-Minute Emergency Medicine Consult (third edition). Schaidler JJ, Hayden SR, Wolfe RE, Barkin RM, Rosen P (Eds.); Philadelphia: Lippincott Williams & Wilkins, 2007, pp 1040-1041.
33. Vilke GM: Warts. In: Rosen & Barkin's 5-Minute Emergency Medicine Consult (third edition). Schaidler JJ, Hayden SR, Wolfe RE, Barkin RM, Rosen P (Eds.); Philadelphia: Lippincott Williams & Wilkins, 2007, pp 1224-1225.
34. Vilke GM, Sloane CM, Chan TC. Accelerated Triage for Medical Evaluations Following CED Activations. In: Critical Issues in Policing Series: Strategies for Resolving Conflict and Minimizing Use of Force. Ederheimer JA (Ed); Washington DC, Police Executive Research Forum, 2007, pp 108-109.

VIDEO:

1. Vilke GM, Davis DP, Robinson A: "Glasgow Coma Scale and the Field Neurological Exam" Instructional Video, San Diego County Emergency Medical Services, Copyright 1997.

PUBLICATIONS, continued:

Articles

1. Vilke GM, Hoyt DB, Epperson M, Fortlage D, Hutton KC, Rosen P: Intubation techniques in the helicopter. *J Emerg Med* 1994;12(2):217-224.
2. Rockwell E, Jackson E, Vilke G, Jeste DV: A study of delusions in a large cohort of Alzheimer's disease patients. *Am J Geriatric Psychiatry* 1994;2(2):157-164.
3. Chan T, Vilke GM, Williams S: Bi-directional ventricular tachycardia in a patient with digoxin toxicity. *J Emerg Med* 1995;13(1):89.
4. Vilke GM: Misplaced intravascular catheters in a patient with acute renal failure. *J Emerg Med* 1995;13(3):379.
5. Vilke GM, Vilke TS, Rosen P: The completeness of MEDLINE for papers published in the *Journal of Emergency Medicine*. *J Emerg Med* 1995;13(4):457-460.
6. Bauman BH, Vilke G, Chan T: Dexamethasone use in croup. *West J Med* 1996;164(1):66.
7. Vilke GM, Hayden SR: Intraorbital air in a patient status post-facial trauma. *J Emerg Med* 1996;14(1):77.
8. Vilke GM, Jacoby I, Manoguerra AS, Clark R: Disaster preparedness of poison control centers. *Clin Toxicol* 1996;34(1):53-58.
9. Vilke GM: "No worries." *J Emerg Med* 1996;14(5):641-642.
10. Vilke GM, Honingford EA: Cervical spine epidural abscess in a patient with no predisposing risk factors. *Ann Emerg Med* 1996;27(6):777-780.
11. Vilke GM, Honingford EA: Diabetes and neck pain (Letter to the editor). *Ann Emerg Med* 1996;28(6):731.
12. Vilke GM, Wulfert EA: Case reports of two patients presenting with pneumothorax following acupuncture. *J Emerg Med* 1997;15(2):155-157.
13. Vilke GM: Chest pain in an elderly patient. *J Emerg Med* 1997;15(4):523.
14. Chan TC, Vilke GM, Neuman T, Clausen JL: Restraint position and positional asphyxia. *Ann Emerg Med* 1997;30(5):578-586.
15. Moss ST, Chan TC, Buchanan J, Dunford JV, Vilke GM: Outcome study of prehospital patients signed out against medical advice by field paramedics. *Ann Emerg Med* 1998;31(2):247-250.

PUBLICATIONS, continued:

Articles

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57. Vilke GM, Sardar W, Fisher R, Dunford JV, Chan TC: Follow-up of elderly patients who refuse transport after accessing 9-1-1. *Prehosp Emerg Care* 2002;6(1):164.
58. Vilke GM, Steen PJ, Smith AM, Chan TC: Out-of-hospital pediatric intubation by paramedics: The San Diego experience. *Prehosp Emerg Care* 2002;6(1):165.
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129. Marsan Jr RJ, Vilke GM, Chan TC, Davis DP, Stepanski BM. Description and Efficacy of Treatment of Hemodynamically Significant Bradycardia in a Large, Urban, Pacing-capable EMS System. Ann Emerg Med 2007; 50(3):S80.
130. Chan TC, Killeen JP, Castillo EM, Vilke GM, Kennedy S, FeinbergR, Guss DA. Impact of an internet based referral appointment system community clinic access and follow-up for ED patients with no primary care. Acad Emerg Med 2008; 15(5 Suppl 1): S104.
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ORAL PRESENTATIONS AT NATIONAL MEETINGS:

1. Chan TC, Buchanan J, Anderson M, Vilke GM: Patient ethnicity and age in prehospital emergency ambulance use and acuity rates. NAEMSP Mid-Year Meeting, Lake Tahoe, Nevada; July 1998.
2. Vilke GM, Dunford JV, Buchanan J, Chan TC: Are opiate overdose deaths related to patient release after naloxone? ACEP Research Forum, San Diego, California; October 1998.
3. Gerling MC, Hamilton RS, Davis DP, Morris GF, Vilke GM, Hayden SR: The effects of cervical spine immobilization on technique and laryngoscope blade selection on an unstable cervical spine injury in a cadaver model of intubation. ACEP Research Forum, San Diego, California; October 1998.
4. Vilke GM, Chan TC, Ray LU, Anderson ME: Use of prehospital crash injury data to assess regional automobile safety restraint use. NAEMSP Annual Meeting, Marcos Island, Florida; January 1999.
5. Chew GS, Chan TC, Bramwell K, Davis DP, Vilke GM: Does gastric distention from air insufflation affect the accuracy of the syringe esophageal detector device in detecting esophageal intubation? SAEM Western Regional Research Forum, Redondo Beach, California; March 1999.
6. Davis DP, Kimbro T, Vilke GM: The use of midazolam for prehospital rapid-sequence intubation may be associated with a dose-related increase in hypotension. NAEMSP Annual Meeting, Dana Point, California; January 2000.
7. Marino AT, Sharieff G, Gerhart AE, Chan TC, Vilke GM: The efficacy and complication rate of prehospital midazolam for the treatment of pediatric seizures. NAEMSP Annual Meeting, Dana Point, California; January 2000.
8. Eisele JW, Chan T, Vilke G, Neuman T, Clausen J: Effect of weight placed on the back of subjects in the hobble restraint position. American Academy of Forensic Sciences Annual Meeting, Reno, Nevada; February 2000.
9. Chan TC, Vilke GM, Neuman TS, Clark RF, Clausen JL: The effect of oleoresin capscicum spray inhalation on pulmonary and respiratory function. SAEM Western Regional Research Forum, Portland, Oregon; April 2000.
10. Vilke GM, Chan TC, Seltzer A, Fisher R, Dunford JV: Outcome of out-of-hospital refusal of paramedic transport by parents of pediatric patients. State of California EMS Authority EMS for Children Annual Conference, San Diego, California; November 2000.
11. Deitch S, Vilke GM, Marino A, Vroman D, Chan TC: Effect of prehospital use of nitroglycerine on EKG findings in patients with chest pain. American Academy of Emergency Medicine Annual Conference, Orlando, Florida; March 2001.

ORAL PRESENTATIONS AT NATIONAL MEETINGS, continued:

12. Vilke GM, Steen PJ, Smith AM, Chan TC: Pediatric intubation by paramedics: The San Diego County experience. SAEM Western Regional Research Forum, Irvine, California; March 2001.
13. Davis DP, Ochs M, Hoyt DB, Dunford JV, Vilke GM: The use of the Combitube as a salvage airway device for paramedic RSI. SAEM Western Regional Research Forum, Irvine, California; March 2001.
14. Chan TC, Dunford JV, Vilke GM: Impact of a community multidisciplinary homeless outreach team. SAEM Annual Meeting, Atlanta, Georgia; May 2001.
15. Chan TC, Dunford JV, Vilke GM: Impact of a community multidisciplinary homeless outreach team. CAL/ACEP Scientific Assembly, Santa Clara, California; June 2001. (Won Award for Best Oral Presentation)
16. Valentine C, Davis D, Ochs M, Hoyt D, Bailey D, Vilke G: The use of the Combitube as a salvage airway device for paramedic rapid sequence induction. NAEMSP Annual Meeting, Tucson, Arizona; January 2002.
17. Vilke GM, Lev R, Castillo EM, Metz MA, Murrin PA, Chan TC: Prospective countywide trial to decrease ambulance diversion hours. SAEM Western Regional Meeting, Scottsdale, Arizona; April 2003.
18. Vilke GM, Lev R, Castillo EM, Murrin PA, Chan TC: Prospective countywide trial to decrease ambulance diversion hours. SAEM Annual Meeting, Boston, Massachusetts, May 2003.
19. Vilke GM, Lev R, Castillo EM, Metz MA, Murrin PA, Chan TC: San Diego County improved patient destination trial to decrease emergency department diversion hours and diverted patients. American College of Emergency Physicians Research Forum, Boston, Massachusetts; October 2003.
20. Vilke G, Castillo E, Metz M, Murrin P, Ray LU, Lev R, Chan T: Community trial to decrease ambulance diversion of patients and hours. NAEMSP National Conference, Tucson, Arizona; January 2004.
21. Marcelyn Metz, Patricia Murrin, Gary M. Vilke: The three-phase EMS cardiac arrest model for ventricular fibrillation. ENA Annual Meeting; San Diego, California; October 2004.
22. Michalewicz, BA, TC Chan, GM Vilke, SS Levy, TS Neuman, and FW Kolkhorst: Ventilatory and metabolic demands during aggressive physical restraint in healthy adults. American College of Sports Medicine Annual Meeting, Denver, CO; June 2006. [*Medicine and Science in Sports and Exercise* 38(5 Supplement), 2006].

SELECTED SPEAKING ENGAGEMENTS:

1. "Death of a Child: How to Treat the Survivors" -- Grand Rounds, Department of Emergency Medicine, UCSD Medical Center; April 1996.
2. "Assessing GCS and the Field Neurologic Exam" -- Palomar College Paramedic Training; June 1998.
3. "Prehospital Shock"; "Management of the Field Trauma Patient" -- Mercy Air, Ventura County Lecture Series; August 1998.
4. "ER: Not Just a Television Show, But a Field of Research" -- Howard Hughes Foundation Lecture Series, University of California, San Diego; November 1998.
5. "Multi-Casualty Incident" -- UCSD Medical Center Trauma Conference; March 1999.
6. "Managing the Prehospital Multi-Casualty Incident" -- Southwestern College Paramedic Training Institute; May 1999.
7. "Aeromedical Transport: The Past and Current Environment" -- Trauma Morbidity and Mortality Conference, Children's Hospital, San Diego, California; July 1999.
8. "Altitude Medicine"; "Carbon Monoxide Poisoning and Treatment Options"; "Aeromedical Transport Options"; "Emergent Airway Management Options" -- Rural Emergency Medicine Conference, Jackson Hole, Wyoming; August 1999.
9. "Abdominal and Chest Trauma in Sports" -- First Annual San Diego County Athletic Coaches Workshop, San Diego, California; June 2000.
10. "Tabletop Discussion on Chemical Weapon of Mass Destruction" -- Facilitator of Tabletop Training for San Diego County Metropolitan Medical Strike Team; July 2000.
11. "Pediatric IV Access"; "Spinal Immobilization"; "Children with Special Health Care Needs"; "Cardiovascular Emergencies" -- American Academy of Pediatrics Pediatric Education for Prehospital Professionals Conference, San Diego, California; November 2000.
12. "New Frontiers in Field Management of Pediatric Status Epilepticus" -- State of California EMS Authority Annual EMS for Children Conference, San Diego, California; November 2000.
13. "EMS Medical Control: Avoiding your Day in Court" -- ACEP's Emergency Medicine Connection Conference, San Diego, California; March 2001.
14. "Pediatric Intubations by Paramedics" -- San Diego Chapter of the Committee on Pediatric Emergency Medicine; April 2001.
15. "Warfare and Terrorism: A Review of Chemical Agents" -- San Diego County Metropolitan Medical Strike Team Training; August 2001.

SELECTED SPEAKING ENGAGEMENTS, continued:

16. "Bioterrorism and San Diego County" -- Council of Community Clinics Meeting; October 2001.
17. "Bioterrorism and San Diego County Readiness" -- CTN interview with Bill Horn; October 2001.
18. "Future of Prehospital Care" -- Keynote Speaker, Southwestern Paramedic College Graduation; November 2001.
19. "Biological Agents for Terrorism" -- San Diego County Metropolitan Medical Strike Team Training; November 2001.
20. "Clinical Aspects of Bioterrorist Agents" -- Palomar Paramedic College; November 2001.
21. "Clinical Aspects of Bioterrorism" -- Grand Rounds, Fallbrook Hospital; January 2002.
22. "Bioterrorism and San Diego County Readiness" -- Poway Town Hall Meeting; January 2002.
23. "Bioterrorist Preparedness" -- National Medical Association, San Diego County; January 2002.
24. "Chemical Agents of Terrorism: Diagnosis and Treatment" -- Topics and Advances in Internal Medicine, San Diego, California; March 2002.
25. "Bioterrorism: Implications for the Legal and Domestic Community" -- Thomas Jefferson School of Law, San Diego, California; April 2002.
26. "Prehospital Management of Pediatric Seizures" -- EMS-Children Annual Conference; San Diego, California; November 2002.
27. "Paramedicine – Past, Present and Future" -- Keynote Speaker, Southwestern Paramedic College Graduation; San Diego, California; December 2002.
28. "Medical Group Preparedness: How would you Respond to a Possible Victim of Bioterrorism?" -- Bioterrorism Preparedness Training Conference; San Diego California; January 2003.
29. "Update on Bioterrorism" -- The Western States Winter Conference on Emergency Medicine; Park City, Utah; January 2003.
30. "Academic Emergency Medicine and Research Opportunities" -- San Diego Health Information Association, San Diego, California; February 11, 2003.
32. "Blast and Radiological Injuries: Myths and Realities" -- San Diego County Metropolitan Medical Strike Team Training; San Diego, California; August 2003.

SELECTED SPEAKING ENGAGEMENTS, continued:

33. "Clinical Aspects of Bioterrorism" -- American Correctional Health Services Association, California and Nevada Chapter Annual Conference, San Diego, California; September 2003.
34. "Bioterrorism" -- UCSD/SDSU General Preventive Medicine Residency Lecture Series, La Jolla, California; October 2003.
35. "Prehospital Pediatric Airway Obstruction" -- Children's Hospital Grand Rounds, San Diego, California; July 2004.
36. "Future of Healthcare in San Diego: Trends Impacting our Delivery System" -- San Diego Organization of Healthcare Leaders, San Diego, California; August 2004.
36. "Firestorm 2003" -- Children's Hospital Grand Rounds, San Diego, California; January 2004.
37. "EMS research: Unique ethical and regulatory issues" -- Applied Research Ethics National Association Annual meeting, San Diego, California; October 2004.
38. "What happens when you call 911?" -- San Diego Sports Medicine Foundation, San Diego, California; October 2004.
39. "Making the Metropolitan Medical Response System Work for You" -- Emergency Response 2004 Conference, San Diego, California; November 2004.
40. "San Diego County Emergency Department Ambulance Bypass - Past, Present, Future" -- Urgent Matters Briefing, San Diego, California; November 2004.
41. "San Diego County Emergency Department Ambulance Bypass - Past, Present, and Future" -- San Diego Community Emergency Departments, San Diego, California; December 2, 2004.
42. "Emergency Response Management for Efficiency of Care and Fiscal Consideration" -- American Correctional Health Services Association, Oakland, California; April 2, 2005.
43. "Conducted Energy Devices -- Medical Updates and Issues" -- Police Executive Research Forum, Houston, Texas; October 18, 2005.
44. "Conducted Energy Devices Proximity Deaths and Medical Response" -- 2005 Critical Issues in Policing Series, Police Executive Research Forum, San Diego, California; December 8, 2005.
45. "Conductive Electrical Devices (Tasers®) and Patients with Excited Delirium for Law Enforcement and Emergency Medical Personnel" -- The U.S. Metropolitan Municipalities EMS Medical Directors Annual Meeting, Dallas, Texas; February 16, 2006.
46. "Tasers and Sudden Death" -- Keynote speaker at One Day Symposium on In-Custody Deaths by the Florida Sheriffs Association, Orlando, Florida; June 1, 2006.

SELECTED SPEAKING ENGAGEMENTS, continued:

47. "Medical Aspects of the Use of Force Continuum" -- Department of Justice Community Oriented Policing Services (COPS) Conference, Washington, DC; July 29, 2006.
48. "Resuscitation Outcomes Consortium" -- 7th Annual University of California Neurotrauma Meeting, Carmel, California; August 3, 2006.
49. "Use of Force: Sudden Death Myths and Excited Delirium" -- The Commission of Accreditation for Law Enforcement Agencies (CALEA) Less Lethal Technology Working Group Meeting, Washington, DC; September 10, 2006.
50. "Police In-Custody Deaths and the Taser Controversy" -- UCSD/SDSU General Preventive Medicine Residency Lecture Series, La Jolla, California; September 2006.
51. "Conductive Energy Devices: The medical aspects of Taser Electronic Control Devices (ECDs) and other Energy Devices" -- Sudden Death, Excited Delirium and In-Custody Death Conference by the Institute for the Prevention of In-Custody Deaths, Inc. Las Vegas, Nevada; November 16-17, 2006.
52. "Cardiac, Respiratory and Metabolic Effects of EMD" -- Study of Deaths Following Electro Muscular Disruption, Meeting of the Chief Medical Panel for the National Institute of Justice. Washington D.C.; January 9, 2007.
53. "The Medical Implications of Tasers and the Impact on EMS" -- National Association of EMS Physicians National Conference. Naples, FL; January 12, 2007.
54. "Excited Delirium" - Solutions For Corrections Seminar for the California State Sheriff's Association. Ontario, CA; February 7, 2007.
55. "Excited delirium, positional asphyxia and restraint" -- EMS Today Conference, Baltimore, Maryland; March 10, 2007.
56. "Medical implications of Tasers and other Conductive Energy Devices" -- EMS Today Conference, Baltimore, Maryland; March 10, 2007.
57. "Excited Delirium" -- American Correctional Health Services Association, Oakland, California; September 19, 2007.
58. "Human Physiologic Effects of Tasers" -- Study of Deaths Following Electro Muscular Disruption, Meeting of the Chief Medical Panel for the National Institute of Justice. Washington D.C.; September 27, 2007.
59. "The clinical impacts of TASER and other Conductive Energy Devices on Humans: A Review of the latest Medical Research" -- Sudden Death, Excited Delirium and In-Custody Death Conference by the Institute for the Prevention of In-Custody Deaths, Inc. Las Vegas, Nevada; November 28-30, 2007.

SELECTED SPEAKING ENGAGEMENTS, continued:

60. "Physiological Effects of Tasers" – The City Council of Miami-Dade. Miami, Florida; January 17, 2008.
61. "Excited Delirium: What is it? Why does it kill? What do we need to know about it? Western States Winter Conference on Emergency Medicine. Park City, Utah, February 8, 2008.
62. "Medical Effects of Tasers" – The City Council of Houston. Houston, Texas; March 10, 2008.
63. "Less Lethal Weapons" - Emergency Nurses Association, San Diego Chapter. San Diego, California; April 18, 2008.
64. "The Clinical Impacts of TASER and other Conductive Energy Devices on Humans and Why People Die Afterwards" -- American Correctional Health Services Association, San Diego, California; September 17, 2008.
65. "Police In-Custody Deaths and Excited Delirium" -- UCSD/SDSU General Preventive Medicine Residency Lecture Series, La Jolla, California; October 2008.
66. "The Clinical Impacts of TASER and other Conductive Energy Devices on Humans" – Sudden Death, Excited Delirium and In-Custody Death Conference by the Institute for the Prevention of In-Custody Deaths, Inc. Las Vegas, Nevada; October 29, 2008.

Re: Civil Action No. 1:08-CV-122
Rosa Montes Ramos, et. al. v. Omar Lucio, et. al.
U.S.D.C. – Southern District of Texas, Brownsville Division

ATTACHMENT “B”

FEE SCHEDULE **GARY MICHAEL VILKE, M.D., FACEP, FAAEM**

Gary Michael Vilke, MD, FACEP, FAAEM

*11279 Breckenridge Way
San Diego, California 92131
(858) 653-5292*

SS# [REDACTED] 9428

Fee Schedule

FEE SCHEDULE

For review, research, report writing and discussion of case materials: 450.00/ hour
A retainer of up to 3 hours may be requested in advance.

For deposition and trial testimony: 500.00/hour
Deposition and trial testimony will be billed at a half day (4 hour) minimum.
Deposition preparation time will be billed at the standard 450.00/hour rate.

TRAVEL

If travel out of county (defined as more than 100 miles) for deposition or trial is required:

Business class airline tickets to and from to be arranged and paid for by the requesting firm/agency.

Hotel accommodations to be arranged and paid for by the requesting firm/agency.

Transportation to and from the airport in the host city will be arranged and be paid for by the requesting firm/agency.

Time for travel will be billed at the standard review rate up to 4 hours each direction. The time starts at departure from home until arrival in host city, and from departure from host city until arrival home.

If travel is within the county (defined as less than 100 miles) for deposition or trial is required:

Time for travel will be billed at the standard review rate up to 2 hours each direction. The time starts at departure from home until arrival at the depo/trial site, and from departure until arrival home.

If an additional day (non-travel, non-trial or deposition) is required out of town, billing will be for 4 hours at the standard review rate for that day.

Re: Civil Action No. 1:08-CV-122
Rosa Montes Ramos, et. al. v. Omar Lucio, et. al.
U.S.D.C. – Southern District of Texas, Brownsville Division

ATTACHMENT “C”

FED. R. CIV. P. 26(a)(2)(B) REPORT
GARY MICHAEL VILKE, M.D., FACEP, FAAEM

*Gary M. Vilke, M.D., FACEP, FAAEM
11279 Breckenridge Way
San Diego, California 92131
(858) 653-5292*

November 14, 2008

Alberto Lopez
Law Offices of Albert Lopez
14310 Northbrook Drive, Suite 110
San Antonio, TX 78232

RE : Rosa Montes Ramos, et al v. Omar Lucio, Cameron County Sheriff, et al
Civil Action No. M 08-11

Dear Mr. Lopez:

As per your request, I have reviewed the following materials from the above referenced case. This includes, but is not limited to:

EMS patient care report from South Texas Emergency Care
Emergency outpatient record from Valley Baptist Medical Center
Patient expiration record
Autopsy report
Deposition of Isaac Flores
Deposition of Deputy Sheriff Juan Cortez
Deposition of Deputy Sheriff Oswaldo Garcia
Deposition of Maria Elena Hernandez
Deposition of Deputy Sheriff Robert Oyervidez
Deposition of Rosa Ramos
Deposition of Lt. Deputy Sheriff Raul Rodriguez
Deposition of Sgt. Deputy Constable Refugio Perez, Jr.
Report of Dr. Ronald O'Halloran

After reviewing the material it appears that on January 27, 2006, deputies responded to a call in which Jose Ramos was acting out of control, was encountered, involved in and altercation with deputies and was handcuffed, restrained and suffered a cardiac arrest. He was treated by paramedics and transferred to the emergency department, but ultimately died. Given this history, there are a number of issues that need to be addressed in more detail. All of the opinions given are with a reasonable degree of medical probability based on the information currently available.

Use of the passive restraint and hobble restraint: Mr. Ramos was placed into handcuffs while positioned on his stomach for a period of time. Two handcuffs were used to restrain him. At some point, leg shackles were placed and the legs were held outstretched as Lt. Rodriguez stood on the shackles to keep the legs from kicking. Mr. Ramos later was reported by some as having been placed into a hobble (or hogtie) restraint position, where his legs were pulled up and connected to his wrist cuffs. Though there is some controversy among the witnesses as to whether the hobble was actually used, Mr. Ramos was reportedly only in this position for only a brief period of time before he was noted to not be breathing. Whether or not he was hobbled is truly irrelevant, as there are no studies, clinical findings in this case or previous case reports that support that any variation of restraining a handcuffed individual with hands behind his back or in the hobble position will impede one's ability to ventilate and cause positional asphyxia. Having the subject on his stomach in the prone and hobble position is considered physiologically neutral. Mr. Ramos did not suffer from positional asphyxia nor did the restraint have any contributing component to his demise. There is scientific basis for this opinion in that research has been performed that shows that the hogtie position should be considered physiologically neutral and does not cause asphyxiation. (Appendix A, references 1, 3, 4). And in fact, the original work by Dr. Reay, who published the only scientific work in the forensic literature to originally support that hogtie causes asphyxiation, later recanted his position based on our scientific research methodology(ref 1) and also reported that the hogtie position is physiologically neutral and in and of itself does not cause positional asphyxia.

Weight force on the back during restraint: During the period that Mr. Ramos was being handcuffed, he was restrained in a prone position and possibly the hobble position, a certain amount of weight force was intermittently being placed on his back maintain him in a safe position. One witness reported two deputies putting weight on the upper body and two with weight on the lower body. Mr. Ramos was making noises and fighting with his legs without any evidence of respiratory or ventilatory difficulty during this time period. He was reported to be moving and resisting during this period. Some witnesses reported that he complained of difficulty breathing at one point. He was then placed on his side and was tried to be calmed by talking, obviously with the weight that was on the back being removed.

Given that Mr. Ramos was clearly alive and fighting during the short period of restraint and minimal weight force, and that the cardiac arrest was sudden, as well as there were no findings or changes consistent with asphyxiation on autopsy, the weight force on the back did not cause Mr. Ramos' death. Though weight force on the back has been shown to cause some mild changes in ventilation, the scientific data show that there are no clinically significant changes in subjects with up to 220 lbs of weight on the back and weight does not cause a person to have carbon dioxide rise to above normal levels by ventilatory failure, nor have oxygen levels fall. These are the findings one would expect to see in restraint asphyxia from weight placed on the back.(Appendix A, reference 5, 6)

OC spray exposure: Although the Mr. Ramos was exposed to OC spray from Deputy Cortez, there are no findings that this exposure was a contributing factor in the death. Mr.

Ramos did not even demonstrate the typical symptoms of burning eyes and runny nose that is usually seen after exposure to OC spray. Coughing is also a common finding with OC exposure; however this was not specifically reported. Shortness of breath associated with allergic reactions or reactive airway exacerbations have been reported with OC spray, similar to an allergic reaction a person would have to a cat or serious pollen allergy. When these types of reactions occur with OC spray, they occur almost immediately after exposure and have physical findings of wheezing and bronchospasm. Acute anaphylactic reactions typically occur rapidly at the time of the exposure and are obvious. This was not the case with Mr. Ramos. Autopsy findings also support that there no changes consistent with an allergic reaction or bronchospasm as a cause of death. The OC exposure was non-contributory to Mr. Ramos' death.

Blunt force trauma: Autopsy findings demonstrate that Mr. Ramos was subjected to blunt force trauma to several regions of his body. Some of injuries obviously occurred after Mr. Ramos came at Deputy Cortez and started an altercation. Some injuries certainly could have even predated the officers' involvement due to his aggressive behavior from his cocaine and alcohol intoxication, like falling or self inflicted injuries. Nonetheless, despite being unable to determine specifically the mechanism from which each of the individual lacerations and bruises were acquired, none of these blunt force injuries had a contributing effect to the death of Mr. Ramos.

Cause of death: So after reviewing what was non-contributory to the death of Mr. Ramos, it is also critical to identify why this middle aged male suddenly died.

During the time of his arrest, Mr. Ramos was exhibiting signs consistent with excited delirium. In his case, the excited delirium, also known as agitated delirium, was caused by his cocaine use. Excited delirium is a syndrome most commonly caused by use of stimulant drugs like cocaine, methamphetamine or PCP and presents typically with aggressive and often paranoid behavior, but can also be caused by uncontrolled behavioral or psychiatric illnesses. Classically, people suffering from excited delirium are delusional, are hyperactive, may be violent, and are often breathing fast. Mr. Ramos was reported as "going room to room and imagining that someone was following him." He also did not make sense when he talked and did not acknowledge or respond to police or his mother-in-law. They classically have an elevated temperature, as Mr. Ramos did (102 degrees), and often go into asystole upon cardiac arrest, as did Mr. Ramos.

Excited delirium places the individual at increased risk for sudden death syndrome, felt by most experts to be caused by an irregular heartbeat or asystole (flatline), caused by the increased stress and work on the heart by the excited, over-stimulated, agitated physical state. Once the heart goes into flatline, blood flow through the body ceases and shortly thereafter, the subject will lose consciousness due to lack of blood flow to the brain and then stop breathing. Often, law enforcement officers will notice that the subject has finally quieted down, no longer yelling and struggling, thinking that he has finally calmed down and given up the fight. Then a short time later is when someone will identify that the subject is suddenly in cardiac arrest. This is how Mr. Ramos presented and, in this case the change in status was promptly noted and appropriately addressed at scene.

Mr. Ramos had cardiomegaly or an enlargement of the heart noted on his autopsy. This physical enlargement of the heart in and of itself can place an individual at increased risk for sudden cardiac arrest and death. Given the excited state and agitation of Mr. Ramos, his use of cocaine, along with his enlarged heart, he was a ticking time bomb at risk to go into cardiac arrest whether or not police were involved.

Sudden death from excited delirium has been documented to occur with subjects in restrained, prone, supine and even sitting positions. It has occurred with officers holding subjects down, or with no pressure being applied. The position or weight force does not appear to be the causative factors for the cardiac arrest, but rather the excited delirium state itself. Once a person goes into cardiac arrest from excited delirium, they are almost impossible to successfully resuscitate.

Dr. O'Halloran opines that the subject died from restraint asphyxia. He bases this opinion on the fact that Mr. Ramos stopped talking at some point, that he lost consciousness, that the officers had a knee or knees on his back, that there was a very slow respiratory rate and heart rate and that there is cyanosis when the medics evaluated the patient. These are the classic findings of a cardiac arrest, not asphyxia. In the emergency department, I have had people "code" right in front of me. They stop talking, they pass out, respiratory rates slow to just a few "pre-death" gasps of air and they turn blue from the chest up – often one of the earliest findings if the patient is not on a monitor. Trained nurses and physicians, let alone EMS providers, often "feel" a pulse that is not there when trying to assess, so the presence of a pulse in a cyanotic patient in cardiac arrest is not uncommon – but also not reality. Often it is called a phantom pulse. As Dr. O'Halloran noted, it takes minutes (2 to 5) of obstructed or impeded ventilation to cause loss of consciousness. Mr. Ramos was moving, breathing and had weight force adjusted throughout this brief event. There was no record of minutes of chest crushing or collapsing pressure being held on him without to breathe in and out. Probably the most important feature that was not addressed by Dr. O'Halloran, is that restraint asphyxia absolutely does not cause hyperthermia, an elevated temperature, in this case to 102 degrees.

Therefore, I disagree with Dr. O'Halloran and I agree with the Medical Examiner's report of the cause of death in this case in that Mr. Ramos died from excited delirium syndrome due to acute cocaine intoxication. Based on the clinical findings reported, as well as the autopsy findings recorded, there is no indication that Mr. Ramos died of asphyxiation. A dysrhythmic cardiac death from excited delirium would present suddenly, silently and have no findings noted on autopsy, all of which were the case with Mr. Ramos.

My background is that I am a full time faculty member in the department of emergency medicine at the University of California, San Diego Medical Center. I am residency trained and board certified in Emergency Medicine. I work full time as a practicing clinician in the Emergency Department of a busy urban hospital. I also work for the medical center as the Director of Custody Services for the San Diego County Sheriff's Department Jail Medical Service where I oversee direct patient care, interface between

the jail clinical staff and the hospital staff, and have been involved in the process of utilization review.

As a physician working at both the jail and in the emergency department that is contracted to care for incarcerated patients, I have evaluated hundreds of patients over the last ten years who have been restrained, been using drugs, and/or have had sudden cardiac arrests. I have also cared for thousands of psychiatric patients with varying degrees of control of their diseases. I have performed extensive research on subjects who have been restrained and restrained with weight on their backs. This includes having restrained subjects hundreds of times utilizing police restraining techniques. Given the frequency of use of this procedure by law enforcement and my own scientific research and interest on this topic, I regularly perform a complete review of the literature regarding restraint use and sudden death in custody.

Attached is a copy of my Curriculum Vitae, which includes a list of all publications authored by me over the previous ten years. Appendix A includes a list of original scientific papers which I have authored that is applicable and relied on in part for the opinions which I offer in this case. Appendix B is a list of all cases in which I have testified as an expert in trial or deposition within the preceding four years. I have not referred to any other specific sources. The knowledge base that I utilize has been developed over time from my years of training, clinical practice, reading and research.

Respectfully submitted,

/s/ Gary M. Vilke

Gary M. Vilke, M.D., FACEP, FAAEM
Professor of Clinical Medicine
Director, UCSD Custody Services
Director, Clinical Research for Emergency Medicine
University of California, San Diego Medical Center

Appendix A

A list of original scientific papers which I have authored that is applicable and relied on in part for the opinions which I offer in this case.

1. Chan TC, Vilke GM, Neuman T, Clausen JL: Restraint position and positional asphyxia. *Ann Emerg Med* 1997;30(5):578-586.
2. Chan TC, Vilke GM, Neuman T: Reexamination of custody restraint position and positional asphyxia. *Am J Forensic Med Pathol* 1998;19(3):201-205.
3. Vilke GM, Chan TC, Neuman T, Clausen JL: Spirometry in normal subjects in sitting, prone, and supine positions. *Respir Care* 2000;45(4):407-410.
4. Chan TC, Vilke GM, Clausen J, Clark R, Schmidt P, Snowden T, Neuman T: The impact of oleoresin capsicum spray on respiratory function in human subjects in the sitting and prone maximal restraint positions, final report. NCJ 182433. Washington, DC: United States Department of Justice, National Institute of Justice, 2000, 68 pages.
5. Chan TC, Neuman T, Clausen J, Eisele J, Vilke GM: Weight force during prone restraint and respiratory function. *Am J Forensic Med Pathol* 2004;25(3):185-189.
6. Michalewicz BA, Chan TC, Vilke GM, Levy SS, Neuman TS, Kolkhorst FW. Ventilatory and metabolic demands during aggressive physical restraint in healthy adults. *J Forensic Sci* 2007;52(1):171-175.

Appendix B

List of all cases in which testified as an expert in trial or deposition within the preceding four years

November 4, 2004 – Trial

Elizabeth M. Acosta v. City of San Diego et al
U.S. District Court, Southern District of California
Case # 01cv19731 (JAH)

December 17, 2004 - Deposition

William A. Forsyth, Jr. and Ann Forsyth v. DeKalb Medical Center, Inc., et al
Civil Action File No. 00-1676-2

January 7, 2005 – Deposition

Monrell D. Murphy v. P.I. Terry, et al
U.S. District Court, Northern District of California
Case No. Co2-4023 VRW (PR)

April 26, 2005 – Deposition

Demus Rich and wife, Melba Rich v. City of Savannah, et al.
U.S. District Court
Case # 1-02-1222

January 26, 2006 - Trial

William A. Forsyth, Jr. and Ann Forsyth v. DeKalb Medical Center, Inc., et al
Civil Action File No. 00-1676-2

September 14, 2006 – Deposition

Dr. Benny O. Iko et al., v Jon P. Galley, et al
United States District Court for the District of Maryland, Greenbelt Division
Case No. DKC-04-3731

January 25, 2007 – Deposition

Abdel El-Emawy, individually and as personal representative of the estate of Afaf Abou-Zaid, Mohamed El-Emawy, individually, Ahmed El-Emawy, individually, Mahmoud El-Emawy, individually, Omar El-Emawy, individually v. William Abbott, MD, H. David Arredondo, MD and Markus Hamm, MD.
Second Judicial District Court
County of Bernalillo, State of New Mexico
Case No. CV 2005-06492

July 10, 2007 – Deposition

Kimberly Anne Baker et al. v. Children's Healthcare of Atlanta, Inc, et al
Superior Court, Oconee County, Georgia
Civil Action File No. 2004-CV-0303-J

January 8, 2008 – Deposition

Charles Reynolds, as personal representative of the estate of Melissa Trujillo, deceased,
et al v Cibola General Hospital and Robert Lutes, M.D.

Second Judicial District Court, County of Bernalillo, State of New Mexico

Case No.: CV 2006-05102

April 28, 2008 – Deposition

Dennis P. Murphy, as personal representative of the estate of William D. Crumpton,
deceased v. Laura Kay, Logan Roots, Santa Fe Sheriff, et al.

U.S. District Court for the District of New Mexico

Case No.: 07-CV-188 JP/WDS

September 10, 2008 – Deposition

Wanda Ramos, v. County of Riverside, et al

U.S. District Court, Central District Court of California, Riverside County

Case No.: ED CV 07-00419

September 14, 2008 Deposition

Bud Lee and Cindy Lundman, as next friend and as natural parents of Patrick Lee,
deceased v Metropolitan government Magistrate Judge Griffin of Nashville/Davidson
County, Tennessee, Jury demand Chief of Police, Ronal Serpas, et al

U.S. District Court, Central District of Tennessee, Nashville Division

Case No.: 3:06-CV-00108

November 4, 2008 – Trial

Wanda Ramos, v. County of Riverside, et al

U.S. District Court, Central District Court of California, Riverside County

Case No.: ED CV 07-00419